

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element Action, policy C4.1 – *“Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.”*

Land Use and Transportation Element Action, Statement C4.2.2 – *“Study criteria to allow industrial FARs up to 45% by Use Permit in 35% zones, considering at a minimum:*

- *The effect of the project on the regional or City-wide roadway system (e.g. strategies for reducing travel demand. Proximity to transit centers, peak hour traffic generation)*
- *Minimum development size*
- *Redevelopment and/or lot consolidation*
- *That the project is intended primarily for a single user or has common/shared management*
- *Mitigation of housing impacts*
- *The development will result in an overall positive benefit to the community*

Land Use and Transportation Element Action, Statement N1.8.1 – *“Require high quality site, landscaping, and building design for higher intensity industrial development.”*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project encourages economic activity through supporting an existing business which is seeking to expand their manufacturing potential. The policy concerns raised by increasing the FAR are not substantiated as the proposed project will not result in an increased impact to the roadway system, is a minimal increase to the development, is intended for a single user, and is likely to result in an overall benefit to the local economy.
2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the chemical process do not involve gases and the potential environmental impact from a spill would be mitigated by the proposed berm and will require separate review and permitting by City staff. Locating the chemicals outside of the building will result in a safer working environment inside the building. The proposed structure will be located in the rear of the building and not result in a major visual impact for the neighboring site.

Review Criteria for Projects Greater Than 35% FAR

To assist the decision makers in considering higher FAR developments, the following review criteria will be used.

Review Criteria		Discussion/Explanation
CATEGORY I: COMMUNITY CHARACTER addresses the issues of land use and transportation capacity and neighborhood compatibility within the context of an overall City image.		
A.	Is there sufficient current and future land use and transportation capacity to incorporate this project?	The project does not warrant a traffic impact analysis as it will not generate 100 peak hours trips. The total additional floor area is 852 square feet which will be subtracted from the development pool.
B.	Does project use and design contribute positively to a City image and community character that reflects current and future "high-tech" Silicon Valley?	The site plan and elevations meet the Citywide design guidelines. The proposed enclosure is located in the rear of the property and will not be visible from the street. The additional landscaping will make a positive contribution to the character of Sunnyvale.
C.	Does the project include minor upgrading of the building for safety or special function purposes?	The project involves the minor change of relocating chemicals. Restrooms will be reviewed to ensure they meet ADA standards.
D.	Have potential adverse impacts on nearby land uses been avoided, minimized or mitigated?	The subject site is located in the middle of an industrial zoned area. The planned berm is designed to mitigate any potential chemical spills, which could have a negative impact on the environment.

Review Criteria	Discussion/Explanation
CATEGORY II: ENVIRONMENTAL: TRAFFIC AND AIR QUALITY focuses on the ability of a proposed project to avoid, minimize or mitigate City-wide and local traffic and air quality impacts.	
A. Does the project avoid or mitigate significant effects on the regional or City-wide roadway system? Is the project sited to avoid impacts on constrained intersections or roadway segments?	As the proposed addition is not designed to allow for additional office or work space, the proposed change is not intended to provide the opportunity for additional staffing, thus not resulting in additional impacts on the transportation system.
B. Are potential air quality impacts mitigated?	The chemicals to be located outside do not include gases. No significant impact to the air quality as the project will result in an insignificant number of net new trips.
C. Does the project provide opportunities for appropriate on-site retail/support services and amenities to minimize mid-day vehicle trips?	The proposed project is to support existing practices and staffing, and it is not expected to result in any increased vehicle trips.
D. Does the project provide mixed uses on the site to complement the primary use and adjacent land uses?	The project is not a mixed-use development.
E. Is the project located in close proximity to a light rail or Cal-Train station, and/or other convenient transit stops?	The site is located approximately 1.7 miles from the CalTrain station and approximately 0.5 miles from a bus stop.
F. Can identifiable and measurable negative impacts on City infrastructure and services be mitigated?	No City services or infrastructure are affected by the proposed development. There is not significant increase in services needed.
G. Is a Transportation Demand Management program planned for the site? Does it reduce traffic general and promote transit use?	No Traffic Demand Management Plan is planned for the site as there is no expected increase in employment.

CATEGORY III: SITE DESIGN AND ARCHITECTURE addresses several components of site design and architecture; focusing on the visual features and aesthetics, techniques to reduce the bulk and mass of the buildings, ways to reduce the amount of surface parking on the site.

A.	<p>Does the project demonstrate exemplary architecture and design through:</p> <ul style="list-style-type: none"> • use of unique and/or high quality building materials, singly and in combination • state of the art design and materials • introduction of significant, innovative and noteworthy architectural forms and elements • special or unique features of the site plan design and implementation 	<p>The proposed addition simply provides for 852 square feet of enclosed space for use of chemical facilities. The area is to be enclosed by a cyclone fence with green slats to limit visual access. Effectively, the employment-generating space is still within the 35% FAR.</p>
B.	<p>Does the project complement the City image and community character currently primarily low profile with a less intensive development density?</p>	<p>The addition is located behind the building and is not visible from the street. It will, however, complement the City's image as being "Silicon Valley" by providing additional manufacturing potential for the site.</p>
C.	<p>Does the site plan reduce the bulk and mass of the buildings on the site? Are the following techniques and others used in a creative and resourceful way?</p> <ul style="list-style-type: none"> • Façade and roofline variations • Reduction in the building footprint and significant increase of landscaping required by Zoning Code <p>Substantially greater setbacks than required by the Zoning Code.</p>	<p>The proposed project provides for a minimal impact on the mass of the building and does not substantially contribute to additional "bulk".</p>

D.	<p>Does the site plan include techniques to reduce non-point source pollution?</p>	<p>The manufacturing chemicals used on-site are to be managed per City, State and Federal regulations. Further, staff has proposed the installation of additional landscaping, which will have the effect of on-site treatment for stormwater run-off.</p>
E.	<p>Is a reduction in the amount of surface parking achieved?</p> <ul style="list-style-type: none">• Significant reduction in the number of surface parking spaces• Provision of structured parking and/ or underground parking <p>Introduction of a landscape reserve that can be converted to parking on an as-needed basis, or as a permanent park.</p>	<p>The overall parking ratio is 1/408 which is less than the maximum allowed by Code. Staff has recommended installation of additional landscaping, which would further reduce parking. There are no parking structures proposed.</p>
F.	<p>Is the site comprehensively planned through the creation of a Master Plan or Site Specific Plan? Has a long term development plan been prepared that allows phasing of the project based on implementation of improvements and mitigations?</p>	<p>N/A</p>
G.	<p>How is the calculation of the "effective" FAR being conducted? Does the size of the project warrant a different method of calculating the FAR?</p>	<p>The total increase in floor area is 852 square feet. All floor area is included in the FAR calculation; no other method is warranted at this time.</p>

Optional Information	Discussion/Explanation
<p>CATEGORY IV: ECONOMIC, FISCAL AND COMMUNITY BENEFIT identifies the need to relate the project to the economic prosperity program of the City, potential impact on the City, the relationship to the local economy and employment in terms of the types and numbers of jobs likely to be generated by the project and other features of the development that will result in an overall positive community benefit. The following questions provide examples of how benefit can be described. Please respond to as many as apply.</p>	
A. Does the project implement the goals of the Economic Prosperity Program?	The project supports goals identified in the economic prosperity program relating to the business retention. The project provides for an existing building to be better utilized by a business which is consistent with the Sunnyvale Profile.
B. Does this project have a significant net positive fiscal impact over the next 5-20 years?	It is anticipated that the project will result in a minor increase to the City's share of real estate tax revenue generated by the property and that building permit fees will be collected. The additional space will provide a net benefit to the tenant business, which may result in additional sales revenue for the City.
C. Does the project include the provision of on-site corporate headquarters and/or a "point of sale" office?	The site is the corporate headquarters for Neoconix, Inc.; however, sales are made out of other locations.
D. To what extent does this project provide resident and/or youth employment opportunities both now and in the future?	The project is not expected to result in any additional staffing requirements for Neoconix, Inc. The business tends to hire specialty-skilled professionals.
E. Do the anticipated types and numbers of jobs complement the current and desired future job profile in Sunnyvale?	While the project is not expected to contribute to job growth, Neoconix is the type of business promoted in Sunnyvale as "high tech".
F. To what degree do the proposed jobs generate related jobs and services in Sunnyvale?	The project is not expected to result in any additional staffing requirements.
G. The project is intended primarily for single user or has common/shared management (Action Statement C4.2.2.)	The project is intended to serve the existing single occupant of the site.

H.	Can the applicant identify other community benefits that could be attributed to the proposed project?	As indicated by the applicant, this project will have a positive effect by increasing the business activity for Neoconix, Inc.
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